



Tuesday, March 24, 2015

House Budget & Research Office
(404) 656-5050

House Communications Office
(404) 656-0305

- The House will reconvene for its 36th Legislative Day on Wednesday, March 25 at 10:00 am.
- The Rules committee will meet at 9:00 am.
- Six bills / resolutions are expected to be debated on the floor.

Today on the Floor

Motions to Disagree

HB 170 Transportation Funding Act of 2015; enact

Authored By: Rep. Jay Roberts (155th)

Rule Applied: Modified-Structured

Motions to Disagree: *A motion to disagree sends the bill back to the Senate for consideration.*

Rules Calendar

HR 419 United States Congress; extend authorization for Augusta Canal National Heritage Area to receive federal funding from the National Park Service through 2021; encourage

Bill Summary: HR 419 encourages the United States Congress to extend authorization for the Augusta Canal National Heritage Area to receive funding from the National Park Service through 2021.

Authored By: Rep. Barbara Sims (123rd)

Rule Applied: Modified-Open

House Committee: State Properties

Committee 03-19-2015 Do Pass

Action:

Floor Vote: Yeas: 164 Nays: 0

Amendments:

SB 2 Education; student who completes certain requirements relating to postsecondary coursework awarded a high school diploma

Bill Summary: Senate Bill 2 allows local boards of education to award a high school diploma to an enrolled student who meets four requirements: 1) completes rigorous coursework at a postsecondary institution; 2) is 16 years or older and has completed at least two English classes, two math courses, two science courses, two social studies courses, and one health and physical education class; 3) has received a score of admission acceptable on the readiness assessment required by the postsecondary institution; and 4) completes an (a) associate degree program, (b) a technical college diploma program and all postsecondary academic education, technical education and training prerequisites for any required certifications or licenses to work in the field, or (c) at least two technical college certificates of credit programs in one specific career pathway, all postsecondary academic education, and technical education and training prerequisites or licenses required to work in the field.

Authored By: Sen. Lindsey Tippins (37th)

Rule Applied: Modified-Open

House Committee: Education

Committee 03-02-2015 Do Pass

Action:

Floor Vote: Yeas: 165 Nays: 0

Amendments: AM 33 1540

SB 72 "Tanja's Law"; provide measure of equivalency in punishment of crimes committed against police dogs in performance of their official duties

Bill Summary: SB 72, known as "Tanja's Law," revises the penalties for harming a law enforcement animal in the performance of its duties by creating tiers of offenses, defining terms, and providing for exceptions. Previously, a person intentionally causing serious or debilitating injury was automatically guilty of a felony.

The law deletes the previous definition of the crime and creates four punishment tiers. A fourth-degree offense occurs when a person intentionally causes physical harm to a law enforcement animal. Offenders are guilty of a misdemeanor of a high and aggravated nature and shall receive up to 12 months in prison and a fine not exceeding \$5,000, or both.

A third-degree offense occurs when a person intentionally causes physical injury to a law enforcement animal through the use of a deadly weapon likely to cause harm. Offenders are guilty of a misdemeanor of a high and aggravated nature and shall be punished by not less than six and not more than 12 months in prison and a fine not exceeding \$5,000, or both.

A second-degree offense occurs when a person knowingly or intentionally shoots a law enforcement animal with a firearm or causes a debilitating physical injury to a law enforcement animal. Offenders are guilty of a felony and shall receive at least one year but not more than five years in prison and a fine not exceeding \$25,000, or both.

A first-degree offense occurs when a person knowingly or intentionally causes the death of a law enforcement animal. Offenders are guilty of a felony and shall receive at least 18 months but not more than five years in prison and a fine not exceeding \$50,000, or both.

In addition to any other penalty, the offender must pay restitution equal to all necessary costs of veterinary treatment, the full cost of replacing the animal and its handlers, to the agency that was the owner of the animal.

The Code section applies only to animals harmed in or because of the performance of their duties. It does not prevent people, who are attacked by a law enforcement animal without command, from defending themselves. The section excludes euthanasia of the animals by the law enforcement agency. Whenever a law enforcement animal dies in the line of duty, the GBI must perform an necropsy on the animal.

SB 72 also revises the statute prohibiting harassing phone calls to include harassing or threatening electronic communications. A person commits this offense by repeatedly telephoning or communicating with another person via electronic communication for the purposes of harassing, molesting, threatening or intimidating. The crime will be considered to have been committed where the phone call or electronic communication was sent or where such communication was received. There is no merger for such offenses and the prohibition does not apply to protected speech.

Finally, SB 72 also fills a gap in Georgia's criminal incest statute to include half-blood relatives.

Authored By: Sen. Jeff Mullis (53rd)

House Committee: Judiciary Non-Civil

Floor Vote: Yeas: 155 Nays: 5

Rule Applied: Modified-Structured

Committee Action: 03-18-2015 Do Pass by Committee Substitute

Amendments:

SB 94 Criminal Procedure; require a procedure for enhancing witness identification accuracy

Bill Summary: SB 94 requires law enforcement agencies that conduct live lineups, photo lineups, or showups, to adopt written policies for using such procedures. These policies must contain the following requirements: if using a live lineup procedure, a person who does not know the identity of the suspect must be the one to conduct the procedure; or if using a photo lineup, the person conducting the procedure must either not know the identity of the suspect or use a procedure that randomly places photographs in folders so that the conductor cannot physically see which photograph

is being viewed by the witness until the procedure is complete.

In either case, the witness must be instructed that the perpetrator of the alleged crime may or may not be present in the lineup.

There must be at least four individuals who are not suspects ("fillers") in live lineups and at least five in photo lineups. These fillers must generally resemble the witness's description of the perpetrator.

The witness who makes the identification, whether at a live lineup, photo lineup, or showup, must make and document a clear statement in their own words about their confidence level in the identification.

These policies will be subject to public disclosure. If an agency fails to comply with these requirements, the judge may consider such failure, but is not required to exclude identification evidence obtained.

SB 94 also amends the law regarding search and seizure.

1) Search Incident to Arrest - The bill first revises the Code section regarding search incident to a lawful arrest. Most of the changes in this section are stylistic. For example, the bill allows an officer to search the individual arrested, as well as the area within the person's immediate presence, for the purposes of "discovering or seizing any property" which may have been used in the crime. The definition of property now includes intangible items in an attempt to ensure that items other than traditional physical instrumentalities are seizable.

The bill also changes language regarding exactly what an officer may seize in the course of a search incident to arrest. Also, the bill strikes language about what may be seized in a search incident to arrest and replaces it with the defined term "contraband." The definition of contraband is the same as the language that the term replaced.

2) Issuance of Search Warrants - Under current law, when seeking a search warrant, an officer is required to establish by probable cause that a crime is being or has been committed. This bill adds an option for an officer to establish by probable cause that a crime "is about to be committed." The bill expands which judges are allowed to issue search warrants. Under current law, the only judicial officers authorized to issue search warrants are those "authorized to hold a court of inquiry to examine into an arrest of an offender against the penal laws" as well as retired, senior, or emeritus judges if the active judge authorizes such judges to issue warrants. This bill allows "any judge of a court of this state" to issue warrants.

3) What A Search Warrant May Be Issued For - A judicial officer may issue a warrant for "stolen" property, but the bill strikes the word "embezzled." Also, the bill allows a search warrant to be issued for the seizure of any property that is evidence of the commission of the crime. The bill removes the exemption for private papers that are only tangible evidence of the commission of the crime. A warrant may also be issued for the search or seizure of an individual who has been kidnapped "or unlawfully restrained." Finally, if an individual has a warrant for his/her arrest and is located within another person's property, a warrant may be issued for the search of that other person's property. The changes for what may be seized in a search incident to arrest are also applied to the provisions regarding what may be seized when effecting a valid search warrant.

4) Use of Certain Devices in Search Warrant Execution - This bill allows other personnel acting on behalf of a peace officer to assist in the execution of a warrant. The bill also allows the use of a "device" when executing a warrant. A device means an electronic instrument used for overhearing sounds or for observing images. This also includes instruments that can be used to intercept a wire, oral, or electronic communication. Certain instruments are excluded from the definition of device, such as hearing aids or "trap and trace" devices.

5) Records of Search Warrants and Supporting Documents - This bill prevents search warrants from being subject to public inspection until they are executed or returned as not executed. This applies to the documents supporting the warrant as well.

6) Ex Parte petition for Sealing of Search Warrants and Supporting Documentation - SB 94 allows a

prosecuting attorney to petition the court ex parte for a search warrant and supporting documentation to be filed under seal with the clerk. The prosecutor must show "reasonable cause" to believe that disclosure of such materials may endanger the life of an individual, cause an individual to flee from prosecution, lead to destruction of evidence/ intimidation of a witness, or otherwise jeopardize an investigation or delay a trial. A judge may order such sealing for up to 60 days, and the period of sealing cannot extend beyond the return of indictment or filing of accusation where evidence seized may be admitted. If an individual is not available, a copy of the warrant must be left in a conspicuous place. If the warrant has been ordered to be sealed, however, a copy may not be left in a conspicuous place.

7) Written Return of Property Seized - Current law allows a written return of property seized to be made before any judicial officer named in the search warrant or before "any court of competent jurisdiction." This bill requires such report to be made before a judicial officer of the same court as the judicial officer who issued the search warrant.

8) Special Masters in Serving Search Warrants - Current law requires an attorney to serve as a special master and accompany a peace officer when serving a search warrant. This bill provides that an attorney shall not be appointed if there is a significant risk that his/her own interests or duties to another client will be affected by such appointment.

9) Prosecuting Attorney May Designate Individual to Observe Search Warrant Execution - If practicable, the peace officer serving the search warrant should not participate in the search, but should only accompany the special master who is conducting the search. This bill allows the prosecuting attorney to designate an attorney or investigator to observe the execution of the search warrant.

PART 2 Search and Seizure of Wire and Electronic Communications

1) Subpoena, Court Order, or Warrant requiring Disclosure of Wire/Electronic Communications - This bill first states that a peace officer, prosecuting attorney, or attorney general may require wire/electronic communications to be disclosed by subpoena, court order, or search warrant as provided by the laws of the United States. A subpoena may be issued if it is shown that the material relates to a pending criminal investigation. A provided or electronic communication service must provide the contents of and records pertaining to such communications when there is a request made that complies with the laws of the United States. If a search warrant requires the production of wire/electronic communications, it shall have state-wide application or application as provided by federal law when issued by a judicial officer with jurisdiction over the crime under investigation. If allowed under federal law, judges having jurisdiction over the crime being investigated may issue orders requiring production of such communications. These orders shall have state-wide application or application as provided by federal law. A person violating this section may be subject to contempt.

2) Installation of Tracking Device by Issuance of Search Warrant - The bill allows, by search warrant, the installation of a tracking device on a physical object provided that the warrant identifies the object and specifies a reasonable length of time, which cannot exceed 45 days, that the device will be used. The installation of the device must take place in the county within the jurisdiction of the warrant-issuing judge. The device can be monitored from any location in the state. The warrant must mandate that the installation is completed within 10 days of the warrant's issuance. The officer must also make a written return of such warrant to the judicial officer named in the warrant or before any court of competent jurisdiction to the judge named in the warrant. On the return, the officer must enter the exact date and time the device was installed or monitoring began if no installation was required. They must also list the dates and times the devices were used. The warrant must be returned within 10 days of the tracking ending. Also within 10 days of the termination of tracking, the officer must serve the search warrant on the person or owner of the physical object being tracked. A judge may order this service be delayed if he finds certain circumstances exist, such as endangerment or flight of the individual.

3) Pen Register and Trap and Trace Device - A district attorney or attorney general is authorized to apply for an order authorizing the use or extension of a Pen Register or Trap and Trace device. The

application must be to a judge of the superior court of the district attorney's judicial circuit or any judicial circuit if the applicant is an Attorney General. The judge may enter such order if authorized by the law of the United States and the order shall have state-wide application. An officer designated in writing by the attorney general or district attorney may install and use a pen register or trap and trace device before obtaining an order authorizing such installation and use if: he/she determines there are grounds upon which an order could be granted; within 48 hours of installation, an order approving the installation and use is issued; or he/she reasonably determines that a situation exists that involves danger of death or injury or conspiratorial activities indicative of organized crime.

4) Inapplicable to Officers Ferreting Out or Watching Suspected

Criminals for the Purposes of Apprehension - Except when using a device in a way that would constitute a violation of the eavesdropping statute (OCGA §16-11-62), the provisions of this bill do not apply to officers ferreting out offenders or suspects for the purposes of apprehending those individuals.

5) Investigation Warrants - A judge of a superior court having jurisdiction over prosecution of a crime under investigation may issue an investigation warrant permitting the use of a device for surveillance of an individual or place to the extent such surveillance is consistent with and subject to terms and procedure of federal law. The warrant issued shall have state-wide application. Any evidence obtained is only admissible in courts that have misdemeanor AND felony jurisdiction. An individual acting in good faith reliance on a court order or legislative authorization will have a complete defense to a criminal or civil action brought under this or any other law.

6) Emergency Situations - Notwithstanding the requirements of this bill, a district attorney or attorney general may intercept wire/electronic communications or record an individual's activities without a court authorization if: they determine that there is an emergency situation which requires such interception or recording; and grounds exist upon which an investigation warrant could be issued, and they apply for such warrant within 48 hours of the surveillance or monitoring begins. If such warrant is granted, the execution must comply with this bill and must cease after the emergency situation stops. If the warrant is denied, the evidence obtained prior to it is confidential and may not be used in court.

(7) Consent to interception - Notwithstanding the other provisions of this bill, wire/electronic communication may be intercepted when the party intercepting is party to the communication OR when one of the parties consents to interception.

8) Recording and Dissemination of a Minor's Communications - Communication of a child under the age of 18 may be recorded and divulged either by court order, parent, guardian, or legal custodian. If sought by a court order, the judge shall only issue such an order if he/she finds by probable cause that a crime has been committed or he/she finds that the child understands that the conversation is to be recorded and the child agrees to participate. A parent or guardian may also record, monitor, or intercept the communications of a child if the communication takes place through a device within the family home. The parent may disclose the contents of communication to the authorities if he/she reasonably believes the conversation is evidence of criminal conduct. Such disclosed evidence is admissible in a judicial proceeding.

9) Remedies--Exclusionary and Criminalization - Evidence obtained in a manner that violates this bill is inadmissible. Privileged information is also not admissible notwithstanding anything in this bill. A violation of this bill constitutes a felony.

Authored By: Sen. Charlie Bethel (54th)
House Committee: Judiciary Non-Civil

Floor Vote: Yeas: 137 Nays: 29

Rule Applied: Modified-Structured
Committee 03-18-2015 Do Pass by Committee
Action: Substitute
Amendments: AM 29 2400

Postponed Until Next Legislative Day

HR 613 United States Environmental Protection Agency (EPA); withdraw the proposed Clean Air Plan; encourage

Bill Summary: HR 613 encourages the United States Environmental Protection Agency (EPA) to withdraw the proposed Clean Power Plan and supports the comments on the Clean Power Plan submitted to EPA by the Georgia Environmental Protection Division, the Public Service Commission, and the Georgia Attorney General.

Authored By: Rep. Chuck Martin (49th)

Rule Applied: Modified-Structured

Local Calendar

HB 627 Lake Allatoona Preservation Authority; repeal Act

Bill Summary: A Bill to repeal an Act creating the Lake Allatoona Preservation Authority.

Authored By: Rep. Scot Turner (21st)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee Action: 03-24-2015 Do Pass by Committee
Substitute

Floor Vote: RECOMMITTED

Amendments:

HB 631 Cherokee County; Board of Ethics; define a term

Bill Summary: A Bill creating the Board of Ethics of Cherokee County, so as to define a term and to provide for limitation of liability.

Authored By: Rep. Wesley Cantrell (22nd)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee Action: 03-23-2015 Do Pass

Floor Vote: Yeas: 113 Nays: 42

Amendments:

HB 633 Atlanta, City of; independent school district ad valorem tax for education; residents 70 years of age or older; provide homestead exemption

Bill Summary: A Bill to provide a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of the assessed value of the homestead for residents of that school district who are 70 years of age or older.

Authored By: Rep. Beth Beskin (54th)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee Action: 03-23-2015 Do Pass

Floor Vote: TABLED

Amendments:

HB 634 Lawrenceville, City of; amend corporate boundaries

Bill Summary: A Bill to amend the corporate boundaries of the City of Lawrenceville.

Authored By: Rep. Valerie Clark (101st)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee Action: 03-23-2015 Do Pass

Floor Vote: Yeas: 113 Nays: 42

Amendments:

HB 636 Vidalia, City of; levy an excise tax

Bill Summary: A Bill to authorize the governing authority of the City of Vidalia to levy a hotel/motel tax.

Authored By: Rep. Greg Morris (156th)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee Action: 03-23-2015 Do Pass

Floor Vote: Yeas: 113 Nays: 42

Amendments:

HB 637 Hazlehurst, City of; provide a new charter

Bill Summary: A Bill to provide a new charter for the City of Hazlehurst.

Authored By: Rep. Greg Morris (156th)

House Committee: Intragovernmental Coordination -
Local

Floor Vote: Yeas: 113 Nays: 42

Rule Applied:

Committee Action: 03-23-2015 Do Pass

Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 36th Legislative Day, Wednesday, March 25, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Wednesday, March 25, at 9:00 am, to set the Rules Calendar for the 37th Legislative Day.

HR 620 Local boards of education; provide educational awareness regarding renewable energy; urge
Bill Summary: HR 620 urges local boards of education to provide educational awareness regarding renewable energy.

Authored By: Rep. Karla Drenner (85th)
House Committee: Natural Resources & Environment

Rule Applied: Modified-Open
Committee Action: 03-19-2015 Do Pass

HR 642 Joint Study Committee on Postsecondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities; create

Bill Summary: House Resolution 642 creates the House Study Committee on Postsecondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities. The study committee will have five members, with the Speaker of the House appointing the Chair, and stand abolished on December 1, 2015.

Authored By: Rep. Katie Dempsey (13th)
House Committee: Higher Education

Rule Applied: Modified-Open
Committee Action: 03-23-2015 Do Pass by Committee Substitute

SB 88 Labor and Industrial Relations; provide for the payment of wages by credit to a payroll card; provisions

Bill Summary: SB 88 allows employers to make wage, salary or other recurring compensation payments by using credit to a payroll credit account. It is elective, not mandatory, to the employee. If offered, the employer must offer a written explanation of any fees associated with the account. The employee has the right to opt out of the account at anytime.

Authored By: Sen. Burt Jones (25th)
House Committee: Industry and Labor

Rule Applied: Modified-Structured
Committee Action: 03-19-2015 Do Pass by Committee Substitute

SB 169 Highways, Bridges, and Ferries; revise what constitutes part of the state highway system; appropriation of funds to Dept. of Transportation

Bill Summary: Sections 1 and 2 of SB 169 update the Code to clarify that federal funds can be used to acquire right-of-way on local projects which have been approved for federal funds.

Section 3 aligns Georgia Department of Transportation's (GDOT) surplus right-of-way process with the local process, as currently defined in statute, to provide greater flexibility to market and notify the public of surplus right-of-way particularly by allowing said property to be listed on the Georgia MLS (multiple listing service). This provision makes clear that the department can utilize the same tools as local government in helping to reduce unneeded property owned by the state and return it to use in the private sector and the local tax digest. The section establishes a common sense look-back requirement of 30 years to identify the previous owner, successor-in-title to whom first right-of-refusal is offered to repurchase the property.

Section 4's provision updates the current state safety oversight statute to reflect requirements established by MAP-21 and provides flexibility to adhere to future federal re-authorizations. GDOT is designated as the Transit State Safety Oversight Entity.

Section 5 relates to outdoor advertising and the relocation of signs on a right-of-way that is purchased by the department. The legislation provides criteria for the new location and for just compensation to be made when relocation is not possible.

Section 6 designates GDOT as the repository for crash reports generated from by law enforcement at all levels of government, and this provision ensures the most efficient and complete transfer of these records by requiring them to be submitted electronically.

Authored By: Sen. Steve Gooch (51st)
House Committee: Transportation

Rule Applied: Modified-Structured
Committee Action: 03-19-2015 Do Pass by Committee Substitute

SR 266 Property Conveyance; authorizing 10 counties

Bill Summary: SR 266 is a conveyance resolution for property located in 10 counties, conveying property owned by the State of Georgia or amending those conveyances, as follows:

Article I conveys property in Appling County, the former site of the Altamaha Technical College and currently under the custody of the Technical College System of Georgia, to Appling County for the widening of U.S. Highway 341.

Article II conveys property in Cherokee County, currently under the custody of the Georgia Department of Natural Resources, to the Georgia Department of Transportation for the replacement and realignment of the bridge on SR 372 at Etowah River.

Article III conveys property in Douglas County, currently under the custody of the Technical College System of Georgia, to Douglas County to realign Timber Ridge Road.

Article IV authorizes the lease of property in Fulton County, upon acquisition of the property that will be in the custody of the Georgia Department of Driver Services, to the Georgia United Credit Union.

Article V authorizes the lease of property in Fulton County, known as the Geo. L. Smith II Georgia World Congress Center and currently under the custody of the Georgia Department of Economic Development, to the Georgia World Congress Center Authority and grants easements through the lease area.

Article VI authorizes the lease of property in Gordon County to the Calhoun Elks Home, Inc., which is an adjustment from previous lease property sizes due to an easement granted to the Georgia Department of Transportation to realign and repair a bridge on Highway 225 at the Coosawattee River.

Article VII authorizes the lease of property in Meriwether County, known as the Roosevelt Warm Springs Institute for Rehabilitation's Golf Course and currently under the custody of the Georgia Vocational Rehabilitation Agency, to The Warrior Alliance to operate the golf course as a vocational rehabilitation training program.

Article VIII authorizes the lease of property in Monroe County, located at the Tift College campus headquarters and currently under the custody of the Georgia Department of Corrections, to the Georgia United Credit Union.

Article IX conveys easements on property in Paulding County, located in the Sheffield Wildlife Management Area and currently under the custody of the Georgia Department of Natural Resources, to the Lee family and to the Paulding County to provide improved access to the Sheffield Wildlife Management Area.

Article X authorizes the lease of property in Troup County, located on a portion of the West Georgia Technical College's LaGrange campus and under the custody of the Technical College System of Georgia, to the Troup County School System for the THINC College and Career Academy.

Article XI conveys property in Upson County, currently under the custody of the Georgia Forestry Commission, to Upson County as part of a property exchange.

Authored By: Sen. Rick Jeffares (17th)

Rule Applied: Modified-Open

House Committee: State Properties

Committee
Action:03-19-2015 Do Pass by Committee
Substitute**SR 267 Public Property; granting of nonexclusive easements for the construction, operation, and maintenance of facilities, utilities; 24 counties**

Bill Summary: SR 267 is a resolution granting non-exclusive easements for construction, operation, and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through state-owned property in Baldwin, Barrow, Bartow, Chatham, Clarke, Clayton, Cobb, DeKalb, Floyd, Fulton, Gordon, Houston, Laurens, Liberty, Lowndes, Macon, McIntosh, Meriwether, Newton, Polk, Richmond, Troup, Walton, and Wayne counties.

Article I grants an easement in Baldwin County to CorrectHealth GDC, LLC of approximately 3.68 acres currently under the custody of the Georgia Department of Behavioral Health and Developmental Disabilities and the Georgia Department of Corrections for the purpose of ingress/egress at the Bostick State Prison site for \$650.00.

Article II grants an easement in Barrow County to the Georgia Power Company for approximately one acre currently under the custody of the Georgia Department of Natural Resources for the construction, installation, and maintenance of underground distribution lines to serve new camper cabins at Fort Yargo State Park for \$10.00.

Article III grants an easement in Bartow County to the Department of Transportation of approximately 0.548 of an acre located on the Western and Atlantic Railroad and currently under the custody of the State Properties Commission for the construction and maintenance of a bridge and road widening of SR140 from SR53 to SR3/US41 for \$10.00.

Article IV grants an easement in Bartow County to the Atlanta Gas Light Company of approximately 0.57 of an acre currently under the custody of the Technical College System of Georgia to construct, install, and maintain underground gas distribution lines and associated equipment to serve the North Metro Campus of Chattahoochee Technical College for \$10.00.

Article V grants an easement in Chatham County to the Atlanta Gas Light Company of approximately 4.26 acres currently under the custody of the Technical College System of Georgia to construct, install, and maintain underground gas distribution lines and associated equipment to serve the Savannah Technical College for \$10.00.

Article VI grants an easement in Clarke County to the Georgia Power Company of approximately 0.09 of an acre at the Athens Day Reporting Center currently under the custody of the Georgia Department of Corrections for the installation, operation, and maintenance of underground electrical lines and associated equipment on Old Epps Bridge Road for \$650.00.

Article VII grants an easement in Clayton County to the Georgia Power Company of approximately 0.251 of an acre currently in the custody of the Georgia Department of Agriculture for the installation, operation, and maintenance of underground electrical lines and associated equipment to serve the Atlanta State Farmers Market for \$10.00.

Article VIII grants an easement in Cobb County to the Georgia Power Company of approximately 0.049 of an acre currently under the custody of the Georgia Department of Defense for the installation, operation, and maintenance of underground distribution lines and associated equipment to serve the Kennesaw Armory for \$10.00.

Article IX grants an easement in DeKalb County to the Georgia Power Company of approximately 0.37 of an acre currently under the custody of the Technical College System of Georgia for the installation, operation, and maintenance of overhead distribution lines and associated equipment to serve the Georgia Piedmont Technical College for \$10.00.

Article X grants an easement in Floyd County to the Georgia Power Company of approximately 0.103 of an acre currently under the custody of the Georgia Department of Defense for the installation,

operation, and maintenance of underground electrical power lines and associated equipment to serve the Rome Armory for \$10.00.

Article XI grants an easement in Fulton County to various utility companies of approximately 25.433 acres currently under the custody of the Technical College System of Georgia for the installation, operation, and maintenance of various utilities and associated equipment to serve the North Fulton Campus of Gwinnett Technical College for \$10.00.

Article XII grants an easement in Gordon County to Department of Transportation of approximately 0.262 of an acre located on the Western and Atlantic Railroad and currently under the custody of the State Properties Commission for the road widening and construction and maintenance of a bridge on the South Calhoun Bypass from SR53 at CR13 East to SR53 at CR64 for \$10.00.

Article XIII grants an easement in Houston County to the Flint Electric Membership Corporation of approximately 0.924 of an acre currently under the custody of the Technical College System of Georgia for installation, maintenance, and operation of electrical distribution lines and associated equipment to serve the Health Services Center at Central Georgia Technical College for \$10.00.

Article XIV grants an easement in Laurens County to the City of Dublin, Georgia of approximately 0.072 of an acre currently under the custody of the Georgia Department of Defense for the construction, installation, and maintenance of sanitary sewer lines to serve the Dublin Armory for \$10.00.

Article XV grants an easement in Liberty County to the Georgia Power Company of approximately 0.156 of an acre at Savannah Technical College currently under the custody of the Technical College System of Georgia for the relocation of power poles and guy wire anchors due to the SR 119 widening for fair market value, but not less than \$650.00.

Article XVI grants an easement in Lowndes County to the City of Valdosta, Georgia of approximately 0.04 of an acre currently under the custody of the Georgia Department of Corrections for the construction, installation, and maintenance of a sanitary sewer main to serve Valdosta State Prison for \$10.00.

Article XVII grants an easement in Macon County to the Flint Electric Membership Corporation of approximately 226.148 acres currently under the custody of the Department of Education for the construction, installation, and maintenance of electrical transmission lines and associated equipment to serve the cabins located on Camp John Hope for \$10.00.

Article XVIII grants an easement in McIntosh County to the Coastal Electric Cooperative (Coastal EMC) of approximately 15.3 acres currently under the custody of the Coastal Resources Division of Department of Natural Resources for the construction, installation, and maintenance of electrical distribution lines and associated equipment to serve Barbour and Wahoo Islands for fair market value, but not less than \$650.00.

Article XIX grants an easement in McIntosh County to the Coastal Electric Cooperative (Coastal EMC) of approximately 1.03 acres currently under the custody of the Department of Natural Resources for the construction and maintenance of underground distribution lines and associated equipment to serve facilities at Altamaha River-Townsend WMA for \$10.00.

Article XX grants an easement in Meriwether County to the Board of Regents of the University System of Georgia of approximately 22.1 acres currently under the custody of the Georgia Vocational Rehabilitation Agency for ingress and egress, parking, signage, utilities and any other rights which the parties deem desirable for the benefit of the Roosevelt Warm Springs Rehabilitation Hospital and the Hilliard Cottage for \$10.00.

Article XXI grants an easement in Newton County to the Walton Electric Membership Corporation of approximately 0.16 of an acre currently under the custody of the Technical College System of Georgia for the construction, operation, and maintenance of underground electrical distribution lines and associated equipment to serve the Georgia BioScience Training Center at Athens Technical College for

\$10.00.

Article XXII grants an easement in Polk County to the Corley family of approximately 0.03 of an acre currently under the custody of the Department of Natural Resources for ingress and egress within Ironstob Phase I tract along Blue Car Body Road of the Paulding Wildlife Management Area in exchange for an easement to the State from the Corley family of approximately 6 acres for ingress and egress for public use and for the Department of Natural Resource's administrative use; and a grant from the Corley Family to the State of a Right of First Refusal to purchase approximately 360 acres of the Corley Family property.

Article XXIII grants an easement in Richmond County to Augusta, Georgia of approximately 0.873 of an acre currently under the custody of the Georgia Department of Behavioral Health and Developmental Disabilities for the replacement and construction of water pipelines at East Central Regional Hospital for \$650.00.

Article XXIV grants an easement in Troup County to the City of West Point, Georgia of approximately 1.391 acres at the Kia/Hyundai Dymos Tract currently under the custody of the Georgia Department of Economic Development for the installation, maintenance, and operation of a water and sewer line for \$10.00.

Article XXV grants an easement in Walton County to the Georgia Power Company of approximately 0.7 of an acre currently under the custody of the Department of Natural Resources for the construction, operation, and maintenance of transmission lines and associated equipment along Willow Springs Church Road at Walton Fish Hatchery for fair market value, not to be less than \$650.00.

Article XXVI grants an easement in Wayne County to the Okefenokee Rural Electric Membership Corporation of approximately 0.28 of an acre currently under the custody of the Georgia Department of Natural Resources for the construction, operation, and maintenance of underground power lines and associated equipment for the new Wildlife Resources Division Maintenance Facility at Penholoway Swamp Wildlife Management Area for \$10.00.

Authored By: Sen. Rick Jeffares (17th)
House Committee: State Properties

Rule Applied: Modified-Open
Committee Action: 03-19-2015 Do Pass by Committee Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Intragovernmental Coordination - Local Committee

HB 627 Lake Allatoona Preservation Authority; repeal Act

Bill Summary: A Bill to repeal an Act creating the Lake Allatoona Preservation Authority.

Authored By: Rep. Scot Turner (21st)

House Committee: Intragovernmental Coordination - Local

Committee Action:

03-24-2015 Do Pass by Committee Substitute

HB 639 Pickens County; Magistrate Court; clerk; appointed by and serve at pleasure of chief magistrate

Bill Summary: A Bill to provide that the clerk of the Magistrate Court of Pickens County shall be appointed by and serve at the pleasure of the chief magistrate.

Authored By: Rep. Rick Jasperse (11th)

House Committee: Intragovernmental Coordination - Local

Committee Action:

03-24-2015 Do Pass

HB 641 Spalding County; levy an excise tax

Bill Summary: A Bill to authorize the governing authority of Spalding County to levy a hotel/motel tax.

Authored By: Rep. David Knight (130th)

House Committee: Intragovernmental Coordination - Local

Committee Action:

03-24-2015 Do Pass

HB 642 Putnam County; Magistrate Court; revise number, manner of selection, and compensation of judges

Bill Summary: A Bill to provide for the Magistrate Court of Putnam County, so as to revise the number, manner of selection, and compensation of the judges of the magistrate court.

Authored By: Rep. Trey Rhodes (120th)

House Committee: Intragovernmental Coordination - Local

Committee Action:

03-24-2015 Do Pass

Judiciary Committee

SB 65 Property; change provisions relating to an exemption

Bill Summary: SB 65 amends Code Section 44-13-100, which permits debtors to exempt certain property from bankruptcy proceedings, by doubling the catch-all property exemption. Current law allows debtors to exempt the value of any piece of property, not in excess of \$600, plus up to \$5,000 of any unused amount of the homestead property exemption. SB 65 permits debtors to exempt the value of any piece of property, not in excess of \$1,200, plus up to \$10,000 of any unused amount of the homestead exemption. In summary, Senate Bill 65 increases the maximum exemption under the catch-all property exemption to \$11,200 from \$5,600.

The bill also includes language (passed by the House in HB 197), which updates and modernizes the following three uniform acts in the debtor-creditor area to reflect recent changes to these acts by the Uniform Law Commission: the 'Uniform Foreign-Country Money Judgments Recognition Act,' which codifies the most prevalent common law rules with regard to the recognition and enforcement of money judgments rendered in other countries; Article 1 of the Uniform Commercial Code (UCC), which serves all other articles of the UCC with definitions and general provisions; and, the 'Uniform

Voidable Transactions Act,' formerly named the 'Uniform Fraudulent Transfer Act,' which strengthens creditor protections by providing remedies for certain transactions by a debtor that are unfair to the debtor's creditors.

Authored By: Sen. Jesse Stone (23rd)
House Judiciary
Committee:

Committee 03-24-2015 Do Pass by Committee
Action: Substitute

SB 128 Corporations; directors and officers; enact reforms consistent with the Model Act; functions of a board of directors; change provisions

Bill Summary: SB 128 simplifies and modernizes the corporate code (Chapter 2 of Title 14). Current law allows corporations to implement staggered terms for its directors by dividing the directors equally among term groups. SB 128 eliminates the requirement of equal apportionment of directors among term groups. The bill provides that a director's consent to take action without a meeting may be withdrawn by a revocation in certain circumstances and allows a director in a consent to specify the time at which the action taken without a meeting is to be effective. The bill allows board committees to approve merger plans and permits directors to appoint alternate committee members to replace absent or disqualified members.

SB 128 also creates safe-harbor and approval procedures for directors and officers seeking to engage in corporate business opportunities. The bill allows corporations to disclaim an interest in taking advantage of specific business opportunities, either in the articles of incorporation, bylaws, or by shareholder or board action. The bill limits director and officer liability for taking advantage of corporate business opportunities if a corporation has disclaimed an interest in the opportunity. Approval of a disclaimer is effective if the director or officer brings the business opportunity to the attention of the corporation and the transaction is approved by either shareholders or directors. The bill eliminates director and officer disclosure requirements if the officer or director believes that disclosure would violate a duty of confidentiality imposed by law, contract, or professional ethical rules; however, a director claiming confidentiality under this subsection must disclose all information that does not violate these duties and the nature of the duty not to disclose. The fact that a director or officer did not employ the enumerated procedures does not create an inference that the corporation was interested in the opportunity or that the director or officer violated his or her duties by taking advantage of the opportunity. Additionally, failure to employ these procedures does not alter the burden of proof in establishing breach of duty to the corporation.

Authored By: Sen. John Kennedy (18th)
House Judiciary
Committee:

Committee 03-24-2015 Do Pass by Committee
Action: Substitute

SB 135 Clerks of Superior Courts; provide for protection and disclosure of records held; procedure for disclosure

Bill Summary: SB 135 amends Code Section 9-11-4.1 relating to certification of process servers. Currently, this section has a sunset provision taking effect on July 1, 2015. SB 135 repeals the sunset provision.

The remaining sections of the bill outline record-keeping requirements and procedures for Superior Courts. More specifically, the bill amends Article 2 of Chapter 6 of Title 15 relating to Superior Court clerks by adding Code Section 15-6-60.1, which makes the clerk the sole custodian of all original filed Superior Court records he or she is required to maintain and permits the clerk to maintain these records in any format. SB 135 also amends Code Section 15-6-62.1 relating to procedures for maintaining electronic records by requiring clerks to retain back-up records on a secure server and submit back-up records to the Georgia Superior Court Clerk's Cooperative Authority at least monthly but no later than the fifteenth day following the last day of each month. Furthermore, all public requests for official documents must be provided to the the clerk.

Authored By: Sen. Charlie Bethel (54th)
House Judiciary
Committee:

Committee 03-24-2015 Do Pass by Committee
Action: Substitute

Juvenile Justice Committee

SB 8 Crimes and Offenses: children who have been sexually exploited; make provisions; create Safe Harbor for Sexually Exploited Children Fund Commission

Bill Summary: SB 8 restructures and revises the statute of limitations period for bringing a civil action for recovery of damages suffered as a result of childhood sexual abuse for clarity. In addition, the definition of "childhood sexual abuse" is expanded to include trafficking a person for sexual servitude, sexual exploitation of children, furnishing obscene materials to minors, child pornography, and obscene telephone contact. If the abuse was committed before July 1, 2015, this bill requires the action to be brought on or before the date which the plaintiff reaches the age 23. If the abuse was committed on or after July 1, 2015, this bill requires the action to be brought on or before the date that the plaintiff turns 25.

The bill provides for tolling of a cause of action for individuals who are below the age of 18, and are legally incompetent, that the cause of action for the same time after they reach the age of 18.

The bill first establishes the Safe Harbor for Sexually Exploited Children Fund Commission which, for administrative purposes only, is assigned to the Division of Family and Children Services of the Department of Human Resources. The bill also creates a separate fund in the state treasury—the Safe Harbor for Sexually Exploited Children Fund.

The commission may allow money from the fund to be disbursed for the purposes of providing rehabilitative and social services to sexually exploited children—defined by the act as any child under the age of 18 who has been the victim of trafficking, engaged in certain acts related to prostitution, or has been the victim of child pornography. The commission may also authorize disbursement of money to eligible persons, entities, or programs. Eligibility is determined by criteria set by the commission. The act requires the commission to consider giving money from the fund to programs or entities devoted to the promotion of awareness and prevention of becoming a sexually exploited child. Finally, the commission may use the fund money for its own operating expenses provided that such use is minimal and in furtherance of the commission's primary purpose.

Other than as noted above, money may not be disbursed from the fund unless approved by the Governor. The Governor is not authorized, however, to disburse money from the fund to entities or programs that the commission has not recommended for a grant.

The commission is to have 8 members 7 of whom will serve two year terms and one of whom, the director of the Division of Family and Children Services of the Department of Human Services, will be a permanent member. The terms are different for the first commission appointed. The Governor appoints four of the members, and the rest are appointed by various agencies. Membership is not considered a public office and no member is precluded from holding public office.

The Governor designates a chairperson of the commission from among members and other officers may be elected by the commission.

Members of the commission are not salaried but will receive expense allowances commensurate with those received by the General Assembly for their attendance at meetings.

The commission may recommend to the Governor and General Assembly changes in programs, laws, budgets, etc. relating to the care and rehabilitation of sexually exploited children, changes to improve conditions among agencies that provide care to such children, and changes to improve the condition of such children who are in need of rehabilitative and social services. The commission may also accept federal funds as well as gifts or donations by private citizens.

SB 8 requires the imposition of an additional penalty of \$2,500.00 in any case where a fine has been imposed on a defendant who is over the age of 18 for trafficking a person for sexual servitude. The additional fines are allocated to the Safe Harbor for Sexually Exploited Children Fund. The bill also criminalizes any refusal to collect and remit the funds in this manner.

The bill next provides that vehicles used in furtherance of certain sexual offenses, and proceeds

derived from certain crimes, will be subject to forfeiture. The bill adds the crimes of keeping a place of prostitution, pandering, and pandering by compulsion to be subject to forfeiture.

SB 8 requires that those convicted of trafficking to register on the State Sexual Offender Registry.

The Department of Human Services is required under the bill to develop a plan for delivering services to sexually exploited children, trafficking victims, and children or persons at risk for becoming victims.

The plan must identify children who need services, provide assistance with applying for government benefits and services, coordinate the delivery of services, prepare materials to increase awareness of such services, develop and maintain community based services, provide assistance with family reunification or repatriation to a country of origin, and assist law enforcement officers with identifying children in need of such services.

Authored By: Sen. Renee Unterman (45th)

House Committee: Juvenile Justice

Committee Action:

03-24-2015 Do Pass by Committee Substitute

SR 7 Safe Harbor for Sexually Exploited Children Fund; provide that General Assembly by law may impose additional penalties or fees for the offenses- CA

Bill Summary: SR 7 is the companion constitutional amendment for SB 8 which dedicates the funding derived from the imposition of assessments against the adult entertainment industry to provide for rehabilitative services for minors who have been trafficked for sexual servitude.

Authored By: Sen. Renee Unterman (45th)

House Committee: Juvenile Justice

Committee Action:

03-24-2015 Do Pass by Committee Substitute

Public Safety & Homeland Security Committee

HR 724 House Study Committee on Cyber Security and Privacy; create

Bill Summary: House Resolution 724 creates the House Study Committee on Cyber Security and Privacy. The committee will be composed of five House members, is allotted five meetings, and stands abolished on December 1, 2015.

Authored By: Rep. B.J. Pak (108th)

House Committee: Public Safety & Homeland Security

Committee Action:

03-24-2015 Do Pass by Committee Substitute

HR 744 House Study Committee on the Use of Drones; create

Bill Summary: House Resolution 744 creates the House Study Committee on the Use of Drones. The committee will be composed of seven members of the House, is allotted five meetings, and stands abolished on December 1, 2015.

Authored By: Rep. Kevin Tanner (9th)

House Committee: Public Safety & Homeland Security

Committee Action:

03-24-2015 Do Pass by Committee Substitute

SB 76 "Motorcycle Mobility Safety Act"; safe operation of a motorcycle; inoperative traffic-control signal

Bill Summary: If a driver has stopped at a traffic signal and has reasonable belief that the lightweight design of their bike or motorcycle has rendered the signal inoperable, this legislation allows the operator to proceed if there is no other motor vehicle within 500 feet approaching or entering the intersection. The driver is also required to proceed cautiously with consideration for all other rules of the road.

The bill defines 'reasonable belief' as the belief of a reasonable person in consideration of the conditions of their stop, including but not limited to the number of seconds stopped, or the number of signal changes he or she has observed of the traffic control device or signal which did not include a change for him.

The committee substitute repealed existing law on handle bar height. Additionally, the substitute incorporated language requiring that drivers stop at a crosswalk when there are flashing beacons rather than requiring a pedestrian step into a crosswalk in order to stop traffic (HB 417).

Authored By: Sen. Bill Jackson (24th)

**House
Committee:**

Public Safety & Homeland Security

**Committee
Action:**

03-24-2015 Do Pass by Committee
Substitute

SB 141 Juvenile Proceedings; provide that minor violations of weapons in school safety zones are not considered Class B designated felonies

Bill Summary: The House committee substitute to SB 141 amends Title 16 in several areas. This legislation revises the unauthorized locations to provide that carrying in a government building as a non-license holder is unlawful. This section is further revised to provide that the prohibition on polling places is only in effect when elections are being conducted and polling places are being used for that purpose.

A new subsection states that nothing in said sections are to affect, repeal, or limit the exemptions provided for in 16-11-130. Those sections are those relating to: carrying in places other than homes, motor vehicles, public property; carrying in unauthorized locations; carrying in school safety zones, at school functions, or on a bus or transportation provided by the school; or weapons on the premises of a nuclear power facility.

The Code relating to renewals of licenses is amended. For license renewals, the bill requires the probate judge to investigate the applicant pursuant to Code. License applications will be considered for renewal if the applicant has a license with 90 or fewer days to expiration or 30 or fewer days past expiration. Applications for persons under 21 who are members of the armed forces must be accompanied by a letter from the applicant's commander and a copy of his/her orders. For renewals, the presentation of the current license is evidence to the judge of the probate that the applicant's fingerprints are on file. The background check for renewals will be a non-fingerprint check with GCIC and the FBI.

GCIC is to be notified immediately of the judge's revocation of a license but no less than ten days later.

If a person is convicted of a crime that would make it unlawful for him to maintain a weapons license, the judge will inquire whether such person has a license and in which county. The judge would then contact the probate in the county maintaining the license of the matter that makes the maintenance of such license is unlawful.

The bill adds political subdivisions and school districts to those entities that cannot regulate transport of firearms except as provided for in the Code. The instances where the municipality and the county can regulate are when it pertains to their employees; this bill also includes volunteers with the counties and cities. It revises the definition of "weapon" to mean any device designed or intended to be used, or capable of being used, for offense or defense, including but not limited to firearms, bladed devices, clubs, electric stun devices, and defense sprays.

Authored By: Sen. Emanuel Jones (10th)

**House
Committee:**

Public Safety & Homeland Security

**Committee
Action:**

03-24-2015 Do Pass by Committee
Substitute

Regulated Industries Committee

SB 63 Alcoholic Beverages; provide for manufacturers of malt beverages to make limited retail sales of malt beverages under certain circumstances

Bill Summary: SB 63 redefines "brewpub" by striking the language that required such establishments to produce beer for consumption on the premises and solely in draft form. The bill also adds the definition of "growler" to mean a container with liquid capacity that does not exceed 64 ounces.

A brewpub license allows the holder to sell a maximum of 5,000 barrels annually of malt beverages to licensed wholesale dealers for distribution to retailers and/or the public for consumption off the premises. The beverages may not be sold to any person holding a retail consumption dealer's license or a retailer's license for the purpose of resale.

The license also allows the holder to sell one growler for consumption off the premises if that person has purchased a meal on the premises and consumed part of the growler with the meal. The partially consumed growler must be capped and bagged in a manner that will make it obvious that the bag has been tampered with or opened. There must also be a dated receipt with the growler. If the person is transporting the growler in a car, it must be placed in a locked glove box, trunk, or behind the last upright seat if the car has no trunk.

The bill strikes language that prohibited free sampling of beer on the premises.

This bill also provides for free souvenirs, tastings, and samples at tours of breweries. A licensed brewer may apply for a permit to conduct tours on the premises of the brewer, either free of charge or for a fee. The tour may include a "free souvenir", which is a single container of malt beverages with a maximum capacity of 64 ounces. Only one of these is allowed per person each day. If the souvenir is a growler, it must comply with the stated capping and bagging provisions. Free souvenirs may only be provided after the tour is complete.

The tour may also allow free tastings on the premises. The tastings must be held in a designated area and no more than 36 ounces of malt beverages may be consumed on the premises. A brewer may also provide free merchandise such as shirts or glasses which do not contain alcohol.

If a brewer decides to charge a fee for a tour, the fee may be based on the amount of malt beverage to be given to the individual attending the tour and charged at the beginning of the tour.

Authored By: Sen. Hunter Hill (6th)
House Regulated Industries
Committee:

Committee 03-24-2015 Do Pass by Committee
Action: Substitute

SB 190 Bona Fide Coin Operated Machines; provide certain definitions; license fees and requirements for manufacturers and distributors

Bill Summary: SB 190 adds a new definition to the Code section regarding licensing of coin-operated amusement machine businesses. "Master licensee" means any person who has lawfully applied for and received a master license, which every owner of such machine must display in order to legally operate the business.

The bill provides for a distributor or manufacturer who offers the machines for sale to pay an annual license fee of \$5,000. These licenses must be available for inspection at the manufacturer's and distributor's place of business.

The bill also allows for the transferability of the master license. Previously, such licenses were not transferable or assignable; however, SB 190 states that upon the sale of an entire business that contains such machines, the buyer must pay a transfer fee to the governing authority ("corporation") in charge of administering such licenses. The first sale of a master license holder's business will require a transfer fee of \$10,000 with each consecutive sale increasing the amount of the fee.

The remainder of the bill largely inserts manufacturer and distributor licenses into the sections governing master licenses. Under current law, businesses cannot obtain or renew a license if their offices are not located in this state or if the applicant does not permit inspection of their place of business and records. This bill provides that this section does not apply to manufacturers.

The bill allows the corporation to issue up to 220 Class B licenses through the process of competitive auctions which shall occur at least once every three years. The corporation can renew Class B licenses at any time, and current holders of Class B licenses are not subject to the auctioning process. Current law provides that an owner or operator of a business where the machines are available for public use may not derive more than 50 percent of its "gross retail receipts" from Class B machines. The gross retail receipts do not include revenue derived from non-cash redemption of winnings from Class B machines or revenues that are due to a master licensee or the corporation. Thus, these revenues do not count towards the owner's 50 percent limitation.

SB 190 strikes language that allowed by local ordinance authorization the use of more than nine Class B machines; no owner can offer more than nine machines, even with a local ordinance.

A person is not eligible for a distributor license if that person has had a gambling license in the last five years in any state.

A person applying for a manufacturer license or distributor license cannot have an interest in an owner, location owner, or location operator in Georgia. A manufacturing license applicant cannot have an interest in any distributor, and a distributor license applicant may not have an interest in any manufacturer.

As a condition to the issuance of a license, location owners or operators and master license holders may not remove or replace a machine until they certify that there are no disputes or other claims between the master licensee and the location owner or operator. If they cannot make this certification, the dispute will be referred to a hearing officer, who must be approved by the corporation. The corporation must adopt rules and regulations to govern the resolution of disputes by hearing officers. One of the parties may request a hearing to resolve the dispute, but the hearing officer may not conduct a hearing more than 90 days after he or she has been appointed to decide the dispute.

A decision may be appealed to the chief executive officer of the corporation who will not reverse a finding of fact if any evidence supports the hearing officer's conclusion. The CEO may only reverse a finding of law if it is clearly erroneous.

Authored By: Sen. Butch Miller (49th)
House Committee: Regulated Industries

Committee Action: 03-24-2015 Do Pass by Committee Substitute

Ways & Means Committee

HR 600 United State Congress; enact much needed tax reforms; encourage

Bill Summary: HR 600 urges the United States Congress to enact tax reform that would be simple, fair and flat.

Authored By: Rep. Trey Kelley (16th)
House Committee: Ways & Means

Committee Action: 03-24-2015 Do Pass

HR 686 United States Congress; enact broad and permanent tax reform in 2015 to create a tax system that is simpler, flatter, and fairer; encourage

Bill Summary: HR 686 is a resolution urging the United States Congress to enact permanent tax reform and to adjust the corporate income tax to a rate no higher than 25%.

Authored By: Rep. Trey Kelley (16th)
House Committee: Ways & Means

Committee Action: 03-24-2015 Do Pass

SB 82 Motor Vehicles; distribution of alternative ad valorem tax proceeds; revise and change certain provisions

Bill Summary: SB 82 amends the distribution formula for the alternative apportioned ad valorem system. The current formula for distributing funds to counties is dependent on the digest of the county. This legislation would alter the calculation so that the funds would be distributed based on the number of registered apportioned vehicles in that jurisdiction. Additionally, a baseline year of 2013 is established so that counties would receive the same amount of funds. This baseline would be adjusted downward by 20% for the next five years until the new formula is fully implemented.

Authored By: Sen. John Wilkinson (50th)
House Committee: Ways & Means

Committee Action: 03-24-2015 Do Pass by Committee Substitute

SB 122 Revenue and Taxation; special purpose local option sales tax; provide for additional purpose for the use of the proceeds of tax

Bill Summary: SB 122 amends the purpose for which SPLOST funds may be allocated. This legislation would allow SPLOST funds to be used for the repair of capital projects damaged by a natural disaster. Additionally, the legislation would allow a county to provide monetary support for a capital project which would eventually be turned over to the state for operations or ownership.

Authored By: Sen. Jeff Mullis (53rd)
House Committee: Ways & Means

Committee Action: 03-24-2015 Do Pass by Committee Substitute

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.

To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Wednesday, March 25, 2015

10:00 am	FLOOR SESSION (LD 36)	HOUSE CHAMBER
8:00 am	AGRICULTURE & CONSUMER AFFAIRS	403 CAP
8:00 am	INSURANCE	606 CLOB
9:00 am	RULES	341 CAP
1:30 pm	JUDICIARY NON-CIVIL	132 CAP
2:00 pm	Environmental Quality Subcommittee of Natural Resources	230 CAP
2:00 pm	GOVERNMENTAL AFFAIRS	406 CLOB
3:00 pm	EDUCATION	606 CLOB
3:00 pm	Fleming Subcommittee of Judiciary Civil	403 CAP